

**COLUMBUS BOARD OF ZONING APPEALS
123 WASHINGTON STREET
COLUMBUS, INDIANA**

The Columbus Board of Zoning Appeals met at 6:30 p.m., December 26, 2002 in the Council Chambers, second floor of City Hall, 123 Washington Street, Columbus, Indiana for its monthly meeting.

Members Present: Pat Zeigler, Chairperson; Karen Dugan; Dave Fisher; Mary Ferdon; and Gary Nienaber

Staff Present: Roger Hunt, Planning Director; Brian Thompson, Asst. Code Enforcement Officer; Marcus Hurley; and Judith K. Walters

Ms. Zeigler opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

DOCKET NO. C/CU-02-10 – REX BANKS (CONTINUED)

A request to allow an accessory structure to be used for storage of excavating business equipment. The property is located at 4101 W 500 S.

Rex Banks gave his name for the record.

Mr. Hurley said a memo has been provided to supply sufficient information for an original incomplete filing in November. He presented the staff video, showing the facility where the construction equipment is stored at 300 W and 500 S on approximately two-acres. He read the staff report into record, noting that not all of the criteria have been met and he asked the Board to consider the staffs' proposed conditions, if granted.

Mr. Banks said the property had been occupied by business since the 1960's and he bought it to house and repair his excavating equipment. He said his business involves moving the equipment to job sites for customers.

DISCUSSION: all equipment is housed inside, except when at job site; sign size (20 sq. ft.), location, need, dusk to dawn floodlight on sign, and for security; improvements to property; applicant has talked to neighbors about his operation and sign; property is located near NTN Manufacturing Plant; no letters were sent to Planning in response to the request.

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There was no public comment. A petition with a list of neighbors in support of the request was presented to the Board and read into record.

Ms. Ferdon moved for approval of **C/CU-01-10**, including the provisional findings and the conditions as proposed that make the applicant responsible for filing for a review by the Board in one-year.

Mr. Nienaber seconded the motion that was approved by a 5-0 vote.

DOCKET NO. C/CU-02-12 – BILL COATES

A request to allow an accessory structure to be used for business purposes.

DOCKET NO. C/DS-02-17 – BILL COATES (CONTINUED)

A request to allow an accessory structure to continue to exist prior to the construction of the primary structure. The property is located at Hurley Estates, Lot 1 on East 50 North.

Bill Coates gave his name for the record.

Mr. Hurley presented the staff video, describing the 25-acre agricultural tract of land located on 50 N near 650 E where the access to the property is by a shared driveway. He said the applicant has added landscaping and worked on a drainage problem. He read the staff report into record for both cases, noting that the 6,000 sq. ft. accessory building is used for equipment storage and a shop; there are no customers on site; and it is surrounded by AG land and natural screening.

Mr. Coates said he has combined his comments to apply for both requests, noting some of the improvements he has made to the property since he purchased it in 1999: broken field tiles have been rerouted and repaired and a 2-acre pond was built to help the drainage; 550 trees were planted; building was constructed and utilities installed; dirt from the lake was used to raise the land where the house will be located; trusses are on order for a 3,900 sq. ft. home (copy of check was provided); property is being developed for personal use only; additional trees will be planted around the home; the economy has set building plans back for a year; he said he has worked with the neighbors on the property development and that he plans to build in the fall of 2003.

DISCUSSION: barn used for equipment and storage; plans for subdivision of land by original owners; no storage of materials outside; drawings of drainage plan was presented for review; a permanent driveway easement shared with Merideth Thompson; a

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large piece of property; plans for existing house located on another lot; there are five employees that work from a job trailer; refuse is stored and hauled away; there are very few deliveries to the property; review by Board in one or two years; anticipated construction date; length of construction.

The meeting was opened for public comment.

Bob Niemoeller has concerns about drainage, commercial use and what the building might be used for in the future.

Clarence Fiesbeck said he has farmed the wet ground and commented on the improvement for drainage.

Merideth Thompson said the property improvements, removal of brush, repair of field tiles; lake for drainage; new trees increase the property values in the neighborhood and is in support of the requests as do several neighbors, at which time he presented a petition of support signed by several neighbors.

Mitchell Barr said the drainage is working.

A letter of support was read from Ed Wooten; also a letter from Moody's Excavating detailing the repairs that his company had made to the drains on the Coates property was also read.

The public portion of the meeting was closed.

Mr. Fisher moved to approve **C/DS-02-17** to extend and allow the accessory structure to remain prior to construction of a primary structure, noting the construction permit must be obtained before December 31, 2003; there is to be no outside storage by the business; and he included the provisional findings.

Ms. Ferdon seconded the motion that passed by a 5-0 vote.

Mr. Fisher moved for approval of **C/CU-02-12**, allow the accessory building to be used for storage and business equipment with the provisional findings as a part of the motion with these conditions: property deed with access easement and approved septic system permit to be on permanent file; the approval is for the current owner only; the hours of operation are limited to Monday through Friday from 6:00 a.m. to 6:00 p.m.; there shall be no lighting or signage on the building; and the applicant will need to refile two months prior to the two-year limit established by the Board for review.

Ms. Ferdon seconded the motion.

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Mr. Coates asked if a security light is allowed.

Mr. Fisher said he didn't have a problem with that.

It passed with a 5-0 vote.

The following findings were presented for the Board's consideration:

IRWIN UNION BANK, C/DS-02-16; Ms. Ferdon moved for approval, seconded by Mr. Nienaber and approved with a 5-0 vote.

ALTERATIONS AND MOORE/SHERYL BAKER, C/CU-02-11; Ms. Ferdon moved for approval, seconded by Ms. Dugan and approved by a 5-0 vote.

CLIFFORD SIMMEN, C/DS-02-18; Ms. Ferdon moved for approval, seconded by Ms. Dugan and approved by a 4-0 vote, Ms. Zeigler abstaining.

The Election Committee presented the proposed 2003 Slate of Officers:

Patricia Zeigler, Chairperson
David Fisher, Co-Chairman
Karen Dugan, Secretary

Mr. Fisher moved for approval, seconded by Mr. Nienaber and approved by a 5-0 vote.

The Board was reminded of and encouraged to attend a training session on January 14, 2003.

The November 26, 2002 minutes were approved.

Mr. Hunt said that due to the recent request by Irwin Union Bank for a property at the West Hill Shopping Center over setbacks, right-of-way for road, acquisition of land for improvement of roads, non-conforming properties and future request are being considered for possible changes to the ordinance by the Plan Commission. A discussion followed by the Board.

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The meeting was closed at 7:40 p.m.

Patricia Zeigler, Chairperson

Karen Dugan, Secretary

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